



## Staff Report to the Weber County Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Consideration and action on an administrative application, final approval of Woodland Estates Subdivision Unit 2, 2nd Amendment (2 lots) with a recommendation for the deferral of sidewalk improvements on Woodland Drive and Melanie Lane, and a request to vacate Lot 43, Woodland Estates Subdivision Unit 2.

**Agenda Date:** Tuesday, May 06, 2014

**Applicant:** Christopher & Sherrie Hall, and Reid & Suzanne Leland, owners

**File Number:** LVW102313 and SUBVAC 2013-11

#### Property Information

**Approximate Address:** 2612 Woodland Dr.

**Project Area:** 3.71 acres

**Zoning:** RE-20

**Existing Land Use:** Residential

**Proposed Land Use:** Residential

**Parcel ID:** 07-089-0021 and 07-089-0022

**Township, Range, Section:** 5N 1W Sec 23 NE ¼

#### Staff Information

**Report Presenter:** Ben Hatfield  
bhatfield@co.weber.ut.us  
801-399-8766

**Report Reviewer:** SW

### Applicable Ordinances

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 2 (RE-20 Zone)

### Type of Decision

**Administrative Decisions:** When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

### Background

The applicant is requesting final approval of Woodland Estates Subdivision Unit 2, 2nd Amendment (2 lots) with a recommendation for the deferral of sidewalk improvements on Woodland Drive and Melanie Lane, and the vacation of Lot 43 Woodland Estates Subdivision Unit 2. The lot to be vacated is located at 2612 Woodland Drive. This two lot subdivision amendment is on 3.71 acres and is located in the RE-20 Zone. The RE-20 Zone requires a minimum of 20,000 square feet in area and a lot width of 100 feet per dwelling. These lots meet these requirements.

The original lot 43 of Woodland Estates Subdivision Unit 2 was recorded in 1959. In the 1960's Lot 43 was split by deed and not by an amended plat. Subsequently, there were two homes built on the proposed lots. Within the past 10 years the owners tried to rearrange the lot line dividing the two properties with a boundary line agreement and again did not propose an amended plat. The applicants are now requesting to correct these prior land divisions and amend the lots with a subdivision plat.

As the homes already exist, all services have been provided and no new improvements or utilities are required.

### Summary of County Commission Considerations

- Does the subdivision meet the requirements of applicable Weber County ordinances?

## Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

## Planning Commission Recommendation

The Western Weber Planning Commission unanimously recommended final approval of Woodland Estates Subdivision Unit 2, 2<sup>nd</sup> Amendment. The Planning Commission recommendation included the vacation of Lot 43 of Woodland Estates Subdivision Unit 2.

## Staff Recommendation

Staff recommends final approval for the Woodland Estates Subdivision Unit 2, 2<sup>nd</sup> Amendment with a recommendation for the deferral of sidewalk improvements on Woodland Drive and Melanie Lane, and the vacation of Lot 43 of Woodland Estates Subdivision Unit 2.

## Exhibits

- A. Proposed plat for Woodland Estates Subdivision Unit 2, 2<sup>nd</sup> Amendment
- B. Plat with Lot 43 of Woodland Estates Subdivision Unit 2
- C. Vacation Ordinance

## Maps

### Adjacent Land Use

**North:** Residential  
**West:** Residential

**South:** Residential  
**East:** Residential

### Map 1







Ordinance \_\_\_\_\_

**An ordinance of Weber County vacating Lot 43 of Woodland Estates Subdivision Unit 2.**

**Whereas,** Lot 43 of Woodland Estates Subdivision Unit 2 has been amended and incorporated as a new subdivision called Woodland Estates Subdivision Unit 2, 2<sup>nd</sup> Amendment; and

**Whereas,** Lot 43 was split by deed in the 1960's and subsequently two homes were built on the resulting parcels, and

**Whereas,** the Weber County Subdivision Ordinance in the 1960's required that a new amended plat be required when splitting and creating new lots, and

**Whereas,** the owners of the two homes have presented an amended plat which will bring both properties into compliance with the Weber County Land Use Code and Subdivision requirements; and

**Whereas,** the property owners desired to alter the property line which had split Lot 43 with a boundary line agreement due to the close proximity of some structures to the property line; and

**Whereas,** the vacation of Lot 43 Woodland Estates Subdivision Unit 2 is recommended by the Weber County Planning Division and Recorder/Surveyor's Office because it will reduce the potential for future mistakes in transfer of title; and

**Whereas,** the owners of the of Lot 43, Woodland Estates Subdivision Unit 2 have requested the proposed vacation; and

**Whereas,** a public hearing was held by the Western Weber Planning Commission on November 12, 2013, after meeting applicable notice requirements; and

**Whereas,** the Western Weber Planning Commission unanimously recommended approval of the vacation of Lot 43 Woodland Estates Subdivision Unit 2; and

**Whereas,** no public comments were made during the public hearing held by the Western Weber Planning Commission on November 12, 2013; and

**Whereas,** the Weber County Commission considered the vacation of Lot 43, Woodland Estates Subdivision Unit 2 in a public meeting on May 6, 2014; and

**Whereas,** the vacation of Lot 43 Woodland Estates Subdivision Unit 2 will not adversely affect the public health, safety, or welfare;

**Now Therefore,** the Weber County Board of Commissioners ordains and vacates the following:

**Lot 43 Woodland Estates Subdivision Unit 2.**

Adopted and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2014 by the Weber County Board of Commissioners,

Commissioner Bell	Voting _____
Commissioner Gibson	Voting _____
Commissioner Zogmaister	Voting _____

\_\_\_\_\_  
Kerry W. Gibson, Chair

ATTEST:

\_\_\_\_\_  
Ricky D. Hatch, CPA Weber County Clerk/Auditor

### Summary of Ordinance #

An ordinance of Weber County vacating Lot 43 Woodland Estates Subdivision Unit 2, adopted and ordered published this 6<sup>th</sup> day of May, 2014, by the Weber County Board of Commissioners with Commissioners Bell, Gibson, and Zogmaister voting Aye. Copies of the complete ordinance may be reviewed in the Weber County Clerk/Auditor's office 2380 Washington Blvd, Suite 320, Ogden, Utah.